







RESPONSE TO THE CHARGES AND  
SPECIFICATIONS SUBMITTED TO  
THE PRESBYTERY OF NEW YORK

BY

PROF. CHARLES AUGUSTUS BRIGGS, D.D.

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## VII.

### RESPONSE TO THE CHARGES AND SPECIFICATIONS.

MR. MODERATOR, MINISTERS, AND ELDERS OF THE  
PRESBYTERY OF NEW YORK :

GENTLEMEN: I appear before you at this time in compliance with your citation, dated October 6, 1891, to plead to the charges and specifications placed in my hands by the Presbytery at that time. It is now my right, in accordance with the Book of Discipline, § 22, to "file objections," if I have any, "to the regularity of the organization, or to the jurisdiction of the judicatory, or to the sufficiency of the charges and specifications in form and in legal effect, or any other substantial objection affecting the order or regularity of the proceeding."

I have no objections to the regularity of the organization, or to the jurisdiction of the Presbytery of New York; but it is necessary, both in my own interest and in the interest of the order and regularity of the judicial proceedings in the Presbytery, to file objections "to the sufficiency of the charges and specifications in form" and "in legal effect."

It is far from my purpose to raise any objections of a technical kind, that may in any way directly or indirectly delay the probation of charges that are approved as sufficient, and specifications that are recognized as relevant by the Presbytery of New York; but the order of the Book of Discipline requires that the

question of *relevancy* should first be decided by the Presbytery, before I can with propriety plead "guilty," or "not guilty."

No one has made this clearer than the Rev. E. R. Craven, D.D., the chairman of the Committee of the General Assembly which prepared the present Book of Discipline, when he said :

"In every trial there are two issues: first, do the facts alleged, if true, sustain the charge? and, second, are the facts true? Ordinarily the affirmative of the former question is tacitly assumed by both the judicatory and the accused person. In such cases the only question to be decided is the latter. Cases sometimes arise, however, especially where there is an individual prosecutor, in which both issues must be tried. They cannot, with propriety, be tried together, for one is a question of law, the other of evidence. In such cases it is manifest wisdom to dispose of the legal question first, and thus possibly prevent a useless waste of time and laceration of feeling."—*Presbyterian Review*, 1884, p. 57.

Adopting the course thus recommended, I do hereby file the following objections to the "sufficiency of the charges and specifications in form and in legal effect."

#### I.—THE PREAMBLE.

The Report of the Committee of the Presbytery, which presented the charges and specifications, contains in its preamble, intimation of charges and specifications which they have not proposed for trial, as follows :

"It has been decided by your committee that it is neither necessary nor advisable to embrace in the list of charges all the doctrinal errors contained in the inaugural address, and, while its teachings respecting miracles, the original condition of man, the nature of sin, race redemption, and Dr. Briggs' scheme of Biblical theology in general, are not in harmony



with the Scriptures, and are calculated to weaken confidence in the Word of God, and to encourage presumption on the clemency and long-suffering of God, yet in order that we may avoid an undue extension of the trial, and the confusion of thought that might follow an attempt to compass all the errors contained in said address, we have deemed it best to confine attention to a few departures from the teachings of the Scriptures which are fundamental to the entire discussion.

“ Furthermore, your committee is not unmindful of the fact that the erroneous and ill-advised utterances of Dr. Briggs in the inaugural address have seriously disturbed the peace of the Church and led to a situation full of difficulty and complication, and have produced such wide-spread uneasiness and agitation throughout the Church as to cause sixty-three Presbyteries to overture the General Assembly with reference to the same, yet for the reasons above given we have determined not to include this grave offence against the peace of the Church in the list of formal charges ” (pp. 4, 5).

I object (1) that, if there are any such errors contained in my inaugural address as the committee allege in the preamble of their Report, it was their duty to formulate them into charges and specifications sufficient in form and in legal effect.

(2). That, if the committee did not think best so to do, they should have refrained from alleging doctrinal errors which they did not propose to submit to probation, and which so alleged without opportunity of refutation, seem calculated to exert prejudice against me in the minds of the members of the court.

(3). That, if, as the Report alleges, “ The erroneous and ill-advised utterances of Dr. Briggs in the inaugural address have seriously disturbed the peace of the Church,” and, these constitute a “ grave offence against the peace of the Church,” it was the duty of the committee to formulate this grave offence into a charge and specification “ sufficient in form and legal effect.”

(4). That, if it was not deemed best so to do, the Report should have refrained from alleging a grave offence which was not proposed for probation, the allegation of which might prejudice the decision of those charges and specifications offered for probation.

The Presbytery are requested therefore to blot out from the Report these insinuations and imputations of doctrinal errors and grave offence.

If I have in any way, directly or indirectly, been the occasion of disturbing the peace of the Church, I deeply regret it. If I have given pain and anxiety to my brethren in the ministry, or to the people of Christ's Church, by any utterances in the inaugural address, I am very sorry. But after repeated rereadings of the address, away from the seat of strife, in a foreign land, I cannot honestly say that there are any such doctrinal errors in the address as the Report alleges, and at the bar of my own conscience, I feel no guilt as regards the grave offence of disturbing the peace and harmony of the Church.

## II.—THE CHARGES.

I object "to the sufficiency of the *Charges*" "in form" and "legal effect."

The rules relating to the charge in the Book of Discipline are: (1). "The charge shall set forth the alleged offence" (§ 15); (2). "A charge shall not allege more than one offence" (§ 16); (3). The supreme court of the Church has decided that "All charges for heresy should be as definite as possible. The article or articles of faith impugned should be specified, and the words supposed to be heretical shown to be in repugnance to these articles; whether the reference is made directly to the Scripture as a standard of orthodoxy; or to the



Confession of Faith, which our Church holds to be a summary of the doctrines of Scripture" (*Craighead Case*, 1824, p. 121).

I object that the charges comply with none of the rules.

(1). *Charge I. sets forth "more than one offence."* It alleges "teaching *doctrines* which conflict irreconcilably with, and are contrary to, the cardinal doctrine taught in Holy Scripture," etc. (p. 5). If, as alleged, more than one doctrine, or a plurality of doctrines is taught, which conflict with a cardinal doctrine of Holy Scripture, there is a plurality of offences and each one of these cardinal offences should be mentioned in a separate charge. Charge I. alleges several offences.

(2). *Charge I. does not "set forth the alleged offence."* It alleges "teaching doctrines that conflict with, and are contrary to," etc. It does not specify what doctrine it is, or what doctrines these are which "conflict irreconcilably with, and are contrary to the cardinal doctrine." I object (a), that I cannot with propriety plead guilty, or not guilty, to teaching such doctrines, until I know what doctrines the prosecution have in mind.

(b). So far as I know, I have never taught any doctrines that conflict with a cardinal doctrine of Holy Scripture. It is conceivable that I may be mistaken; and that I might acknowledge my error if such doctrines were specified by the prosecution.

(c). The charge is so general, vague, and obscure, that it comprehends any and every reason that any one may find for judging that my teachings are contrary to my ordination vow, "that the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice"; and thus enables the jurors to vote for

my condemnation, one for one reason, another for a second reason, a third for a third reason, and so on, securing by the cumulation of votes for different reasons, a judgment that might not be secured if each reason were proved and voted upon by itself.

(3). *The charges are not specific and definite.* It is true that Charge I. is so far definite that it alleges the cardinal doctrine that "the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice"; as that doctrine with which the doctrines taught by me are in irreconcilable conflict. This implies that I have taught some other doctrine than said cardinal doctrine. But the Charge is not definite and specific in that it fails to define what doctrine it is that has been taught in the inaugural address, that is in conflict with, and contrary to, said cardinal doctrine.

Charge II. is less general and vague than Charge I., for whereas Charge I. alleges "teaching doctrines" which conflict; Charge II. alleges teaching "a doctrine of the character, state, and sanctification of believers after death" (p. 39), which irreconcilably conflicts; but this latter is yet indefinite and vague, for the reason that it does not define what precise doctrine it is, out of the many different doctrines taught by theologians in this department of Eschatology, that is an offence. Charge II. while more specific than Charge I. in its reference to the doctrine taught by Dr. Briggs, is more seriously at fault than Charge I., in that Charge I. mentions the cardinal doctrine that "the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice," but Charge II. does not state what doctrine it is of Holy Scripture or of the Westminster Confession with which the doctrine taught by me is in irreconcilable conflict.



I would be entirely willing to waive this objection to the charges as not specific and definite, if this were the only ground of objection and there were any proper way of reaching definite charges by means of the specifications. But this way out of the difficulty is closed against us, as we shall soon see. I am obliged in the interest of the orderly procedure, in a case which is subject to the review of a superior and of a supreme court, to file this objection, even if it be less serious than others which are now to be adduced.

(4). I object to the sufficiency of Charge II. for the reason that *it does not indicate that the offence charged is against an essential and necessary article of the system of doctrine contained in the Westminster Confession.* The Law of the Church as expressed in the Book of Discipline (§ 4) is, that--

“Nothing shall therefore be the object of judicial process, which cannot be proved to be contrary to the Holy Scriptures, or to the regulations and practice of the Church founded thereon; nor anything which does not involve those evils which Discipline is intended to prevent.”

In the second term of subscription, the offence in doctrine is limited as follows: “Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?” This subscription is in accordance with the Adopting Act of 1729, which requires subscription to the Confession of Faith and Catechisms, “as being in all the essential and necessary articles, good forms of sound words and systems of Christian doctrine.” The supreme court of the Church, in the Harker case, 1765, defined this when it said, “essential to the system of doctrine contained in our Westmin-

ster Confession of Faith considered as a system." These regulations and decisions of the supreme court of the Presbyterian Church require that nothing shall be considered as an offence which is not contrary to an essential and necessary article of the Westminster Confession. Charge I. complies with this rule in so far as it represents that the doctrine "that the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice" is a "cardinal doctrine"; but Charge II. does not comply with the regulations of the Church, in that it neglects to state what cardinal doctrine, or what essential and necessary article, of the Westminster Confession of Faith it is with which the doctrine taught by me is in irreconcilable conflict.

When these two charges are placed side by side, the one exposes the faults of the other, and convicts it of insufficiency. Each is insufficient where the other is sufficient. Each is indefinite and vague where the other is more definite and specific. Charge I. defines the doctrine to which the doctrines taught by me are opposed; Charge II. makes no statement at all of any doctrine of Scripture or Confession to which my teachings are opposed. Charge II. mentions a general group of doctrines taught by me which, it is claimed, is opposed to Scripture and Confession, but Charge I. makes no definition whatever of any doctrines taught by me. Charge II. alleges one offence where Charge I. alleges several. Charge I. states cardinal doctrine where Charge II. makes no mention of cardinal doctrine. *Charges I. and II. are therefore "insufficient in form and legal effect."*

### III.—THE SPECIFICATIONS.

*I object to the Specifications as irrelevant, "insufficient in form and legal effect," for the following reasons:*



The law of the specification as given in the Book of Discipline is that “ *The specifications shall set forth the facts relied upon to sustain the charge* ” (§ 15). The committee seem to have an indefinite conception of the nature of specifications. Some of the specifications seem to have been framed as if they were particular items of the general charge, others as if they were particulars of a still more general charge than that alleged in Charge I., and still others as if they were striving to state the facts required by the rule for specifications in our Book of Discipline. Lest there should be obscurity in the minds of the members of the court on this point, I shall take the liberty of citing from that ancient and classic authority in Presbyterian law, upon which the American Book of Discipline is based. The Libel in the Scottish law-books comprehends the three parts—charge, specification, and judgment.

“ A Libel is a Law Syllogism, consisting of the Proposition or Relevancy, which is founded upon the Laws of God, or some Ecclesiastical Constitution agreeable thereto, as, whosoever is absent from publick Divine Service on the Lord’s Day, ought to be censured. The second Part consists of the subsumption or probation, which condescends on matter of Fact, viz., But such a person did, upon such or such a Lord’s Day, absent unnecessarily from the publick Worship of God. The third Part consists of the Conclusion or Sentence, which contains a Desire, that the Profaner of the Lord’s Day, according to the Laws and Customs mentioned in the first part, may be Censured.”—Walter Stewart, “ *Collections and Observations concerning the Worship, Discipline, and Government of the Church of Scotland,* ” p. 268.

The Standard Authority of the Church of Scotland at the present time gives a similar statement :

“ The body of the libel consists of three parts, which together should form a regular syllogism. The first, or major proposi-

tion, sets forth the criminality of the *species facti* charged, and alleges the guilt of the accused; the second, or minor, narrates the *facts* of the particular offence; and the third, or conclusion, deduces the justice of punishing the individual offender. The major proposition should be made as brief and comprehensive as possible. By overloading it, the logical structure of the libel is impaired, and unnecessary discussions on relevancy may be raised. It may be difficult to bring ecclesiastical offences under specific and generic names to the degree in which crimes are classified in the civil law. But it is desirable that this should be done as far as possible, in order to facilitate certainty and simplicity in the criminal proceedings of church courts. Where it is necessary to use circumlocution in expressing the general nature of the offence, nothing should be introduced which is not essential to the criminal charge. Where it is impossible, from the nature of the offence, to bring it under any generic denomination, the particular offence intended to be charged should be set forth in the major as criminal in the abstract, and should be repeated in the minor as having been committed by the accused at a certain time and place.”—Cook, *“Styles of Writs, Forms of Procedure, and Practice of the Church Courts of Scotland,”* pp. 119, 120.

The Standard Authority of the Free Church of Scotland is in entire accord therewith:

“It has been established by long practice that no judicial process of a serious kind can be carried out against a minister or a probationer, except by the use of what is called a Libel. This is a document consisting of three parts, and forming a regular syllogism. The first, or major proposition, sets forth the nature of the alleged offence, declares its contrariety to the Word of God and the laws of the Church, and indicates the kind of consequences which ought to follow from it. The second, or minor proposition, asserts the guilt of the minister or probationer, and specifies what are believed to be the leading facts involving guilt, and particularizing time, place, and other circumstances. This proposition may contain one or more counts of indictment. The third part connects the major and minor propositions together, and thereby deduces the conclu-



sion that the minister or probationer, as guilty of the offence mentioned in the major proposition, ought to be subjected to the consequences, provided the minor proposition be made good, either by confession or by adequate evidence. It is of great importance that care be taken to frame the Libel with accuracy, so as to avoid grounds for questioning its relevancy."—Sir Henry Moncrieff, "*The Practice of the Free Church of Scotland*," pp. 118, 119.

The rules of our Book of Discipline are based upon the practice of the Church of Scotland. The charge corresponds with the first, or major proposition of the Libel; the specification corresponds with the second, or minor proposition; the sentence, with the third part or conclusion. It is essential that the minor premise, or the specification, should be relevant to the major proposition, or the charge; otherwise a person may be judged innocent or guilty of a charge with which the facts adduced have no manner of relevancy, and sentenced to unrighteous suffering. A Presbytery cannot with propriety enter upon the probation of a specification, which specification if proven would not substantiate the charge.

With these preliminary statements I shall now proceed to file objections to the relevancy of the specifications.

#### I.—SPECIFICATION OF CHARGE II.

I prefer to dispose first of the single specification under Charge II. Charge II. is followed by a heading entitled "specification"; but, in fact, there is no specification whatever, but only the general statement: "In the said inaugural address, delivered, published, extensively circulated and republished as above described, Dr. Briggs teaches as follows" (p. 39). Turning to Charge I. we find that a statement corresponding to this is made as the second section of the charge. Place

the two side by side and this will be evident at a glance :

## CHARGE I.

“ These hurtful errors, striking at the vitals of religion, and contrary to the regulations and practice of the Presbyterian Church, were promulgated in an inaugural address which Dr. Briggs delivered at the Union Theological Seminary in the city of New York, Jan. 20, 1891, on the occasion of his induction into the Edward Robinson Chair of Biblical Theology, which address has, with Dr. Briggs' approval, been published and extensively circulated, and republished in a second edition with a preface and an appendix ” (p. 5).

## SPECIFICATION OF CHARGE II.

“ In the said inaugural address, delivered, published, extensively circulated and republished as above described, Dr. Briggs teaches as follows ” (p. 39).

If such a statement belong to Charge I., it does not belong to the specification of Charge II. The only item under the so-called specification of Charge II., not corresponding to the statement made under Charge I., is the clause “ teaches as follows.” In all the previous specifications, the references under the head of “ Inaugural Address ” are a part of the proof; here, however, they are made a part of the specification. This so-called specification is a heaping up of extracts from six pages of the Inaugural Address. I shall admit the correctness of the citations. If therefore no objection is taken to their propriety in the specification, or to their relevancy under the charge, the defendant is placed in a disadvantageous position as to the verdict which might be rendered against him on the basis of any one of the thirty-four verses of Scripture cited, or any clause of the several extracts from the Standards.

There is nothing whatever in the specification. It



makes no specification of fact such as could be admitted or refuted. If the specification had pointed to any erroneous doctrine taught by me ; if I had been charged with teaching second probation or any probation whatever after death, I might have pointed to several of my writings in which this doctrine is distinctly disclaimed. If the doctrine of purgatory had been imputed, or regeneration after death, or transition after death from the state of the condemned to the state of the justified, any and all of these could have been disproved from my writings. If any insinuation had been made that I had taught that the redeemed enter the Middle State guilty and sinful, this could easily have been refuted. But no such doctrines are specified. No specific doctrine whatever is mentioned. There is nothing in the specification that can be tested by the defendant or challenged by the Presbytery.

There was no sufficient reason for indefiniteness and vagueness here. The doctrine taught in the Inaugural Address is Progressive Sanctification after Death. The doctrine alleged to be in conflict with it is Immediate Sanctification at Death.

It will be necessary for the prosecution to prove (1) that immediate sanctification at death is taught in the Scriptures and the Standards ; (2) that it is a cardinal doctrine of the Westminster Confession ; and (3) that the two doctrines are in irreconcilable conflict with each other, ere the Presbytery would be justified in condemning me. The charge and so-called specification do not make a definite issue. They put the charge and specification in such an obscure, indefinite, and empty form, that the defendant is placed at a serious disadvantage in pleading, and the jurors may be justified in voting to condemn, on any plausible ground that

might seem to them sufficient, to prove that in any way the views of the Future State expressed in the Inaugural Address, are in conflict with their own views of Scripture and Confession.

## 2.—SPECIFICATION 5 OF CHARGE I.

Having disposed of the specification under Charge II. we may now devote our attention to the seven specifications of Charge I. These specifications may be grouped under several heads. I shall review them in an order more suitable to my purpose than that of the Report itself. I shall first consider specification 5 ; (2) specifications 1 and 6 ; (3) specifications 2, 3, and 4 ; (4) specification 7. The first of the specifications to which I object is specification 5 :

“ Dr. Briggs makes statements in regard to the Holy Scriptures which cannot be reconciled with the doctrine of the true and full inspiration of those Scriptures as the Word of God written ” (p. 21).

It should now be kept distinctly in mind that a specification must confine itself to setting forth “ *the facts relied upon to sustain the charge* ” (§ 15). This specification does not state a fact, but makes an allegation which is of the nature of a charge. This will be clear if one compares this specification with Charges I. and II. Charge I. alleges that Dr. Briggs teaches “ doctrines which conflict.” Charge II. alleges that he teaches a doctrine of “ the character, state, and sanctification of believers after death,” which conflicts. This specification alleges that he makes “ statements in regard to the Holy Scriptures which cannot be reconciled with,” etc. Specification 5 is therefore really as much of a charge as Charges I. and II., and has been improperly brought under Charge I. But even as a charge, it is no true



charge. It shares the faults of the other charges. This specification uses the plural "*statements*," involving several offences, and it does not specify what one of the many statements in regard to the Holy Scripture it is designed to allege against me. Placing this specification side by side with Charge I., it is clear that this specification cannot be brought under Charge I., for it deals with a different doctrine. In Charge I. the cardinal doctrine that "the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice," the first of the terms of subscription, is the doctrine against which it is alleged that I offend. In this specification, it is "the true and full inspiration of Holy Scripture as the Word of God written" (Confession of Faith, I. 2), against which offence is alleged. These two doctrines may be brought under the general doctrine of Holy Scripture; but the one of these doctrines cannot be brought under the other. Therefore Specification 5 is irrelevant to Charge I.

When one compares this Report, with its Charges and Specifications, with the Report of the committee to examine the Inaugural Address, made to Presbytery in May last, and recognizes that the chairman and the majority of both committees are the same; one is entitled to ask how they can reconcile the two Reports. What they then, in their first Report, made their second charge, and what they then argued as their principal offence, namely, the offence against the inerrancy of the original autographs of Scripture, has been reduced in this Report to a specification under Charge I. Here was a definite, a distinct difference of doctrine as to the inerrancy of Scripture, which should have been formulated into a definite charge with specifications, so that the Presbytery might vote on the ques-

tion: Does the Westminster Confession teach the inerrancy of the original autographs of Holy Scripture? The charge definitely made and argued last May has been depreciated in this Report. It has been subordinated as a specification under a different charge. It has been couched in such general, obscure, and indefinite language as not to enable a juror to vote on the direct question of the inerrancy of the original autographs of Scripture; but to induce him to vote the defendant guilty of a general charge for any private reasons of objection against his doctrine of the Bible, whatever they may be.

Specification 5 ought to be restored to its original position as given in the Report of the committee to the Presbytery in May last, and made as a distinct charge, and it should state definitely the issue involved, namely, what doctrine is it that Dr. Briggs teaches that is irreconcilable with the cardinal doctrine of Scripture and Confession, as to the inerrancy of Holy Scripture? Is it a cardinal doctrine of Holy Scripture and Confession that the original autographs of Holy Scripture were inerrant? If such a definite charge had been made, then the Presbytery could test it intelligently and decide with precision.

### 3.—SPECIFICATIONS 1 AND 6 OF CHARGE 1.

Specifications 1 and 6 may be considered together, because they are the only two of the eight specifications that can be recognized as in any sense true and real, as alleging actual facts.

#### A.—SPECIFICATION 1.

It is a fact that the Inaugural Address declares that there are "historically three great fountains of divine authority, the Bible, the Church, and the Reason," but



Specification 1 is illegal in form, in that it introduces an inference from the fact, by the prosecution, that cannot be recognized as either true or valid. It is not altogether clear what the prosecution mean to infer by their word "*sufficient*." If they mean to intimate that the Inaugural teaches that the Church and the Reason are each alike *sufficient* fountains of divine authority, and that the Church and the Reason are no less "*sufficient* to give that knowledge of God and His will, which is necessary unto salvation," than Holy Scripture; they infer what they have no right to infer from anything taught in the Inaugural Address. It is unlawful to put in specifications inferences of the prosecution not recognized by the accused, as if they were facts. For the supreme court of the Church has decided in the Craighead case:

"That a man cannot fairly be convicted of heresy, for using expressions that may be so interpreted as to involve heretical doctrines, if they may also admit of a more favorable construction: Because, no one can tell in what sense an ambiguous expression is used, but the speaker or writer, and he has a right to explain himself; and in such cases, candor requires that a court should favor the accused, by putting on his words the more favorable, rather than the less favorable construction. Another principle is, that no man can rightly be convicted of heresy by inference or implication; that is, we must not charge an accused person with holding those consequences which may legitimately flow from his assertions. Many men are grossly inconsistent with themselves; and while it is right, in argument, to overthrow false opinions, by tracing them in their connections and consequences, it is not right to charge any man with an opinion which he disavows."—Craighead Case: "Minutes of the General Assembly," 1824, p. 122.

Specification 1, though it cites a fact, when the invalid inference is stricken out, is yet irrelevant; for the specification does not attempt to prove that this fact

conflicts with, and is contrary to, the cardinal doctrine that “the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice.” Furthermore there is no process of logic by which this specification can be brought under the charge. The Reason is a “great fountain of divine authority,” and yet not an “infallible rule of faith and practice.” The Church is a “great fountain of divine authority,” and yet not an “infallible rule of faith and practice.” The Bible is a “great fountain of divine authority,” and it is also “the only infallible rule of faith and practice.” Here are two different statements of truths that may be embraced under a more general truth, but to affirm the one, as to Bible, Church, and Reason that “they are great fountains of divine authority,” is not to deny that the Bible is the only one of which the other can be affirmed, namely, that “the Scriptures are the only infallible rule of faith and practice.” When God speaks through the conscience, He speaks with divine authority and the conscience becomes a “great fountain of divine authority”; but the conscience does not become thereby an “infallible rule of faith and practice.” God speaks through the holy sacrament with divine authority, and the sacrament of the Church is then a “great fountain of divine authority”; but it does not become thereby an “infallible rule of faith and practice.” I affirm that I have never anywhere, or at any time, made any statements or taught any doctrines that in the slightest degree impair what I ever have regarded as a cardinal doctrine, that “the Holy Scriptures are the only infallible rule of faith and practice.”

#### B.—SPECIFICATION 6.

It is a fact that I have taught and most firmly hold and assert “that Moses is not the author of the Penta-



teuch, and that Isaiah is not the author of half of the book which bears his name," but Specification 6 does not indicate by what method of reasoning it brings this fact under the charge. It is irrelevant to the charge. If it be a valid offence it ought to have been made the ground of a distinct charge, and it ought to have been definitely stated what relation Moses has to the Pentateuch, and Isaiah to the book that bears his name, according to the Confession, and in what way the doctrine stated by me conflicts therewith, or with Holy Scripture. Though Moses be not the author of the Pentateuch, yet Mosaic history, Mosaic institutions, and Mosaic legislation lie at the base of all the original documents; and the name of Moses pervades the Pentateuch as a sweet fragrance, and binds the whole together with irresistible attraction into an organism of divine law. Even though Moses be not the author of the Pentateuch, yet the Pentateuch may be, as I firmly believe, one of the books of Holy Scripture, having divine authority; and the Pentateuch is, as I have always taught, one of those Holy Scriptures which together constitute "the only infallible rule of faith and practice."

Even though "Isaiah did not write half the book which bears his name," yet I firmly believe that holy prophets no less inspired than Isaiah, wrote the greater half of the book under the guidance of the divine Spirit, so that the book with different authors is as truly one of the books of Holy Scripture, "the only infallible rule of faith and practice," as if it were written by Isaiah alone. The fact adduced has no manner of relevancy to the charge.

If the Presbytery should decide that these two specifications, 1 and 6, are relevant to the Charge, they would put the accused in a false position and expose him to

the peril of a condemnation on the basis of these two facts, which, after rejecting the illegal inferences, he must acknowledge as true, but which he claims need explanation, and are entirely irrelevant to the Charge. If it be true that the Scriptures and the Confession teach that Moses wrote the Pentateuch, and that Isaiah wrote the whole of the book which bears his name, these doctrines should be affirmed in charges, as cardinal doctrines, and the doctrines taught by me should be placed in such a sufficient legal form, that the jurors might vote clearly and directly upon them.

It is conceivable that I might be proven guilty of teaching doctrines contrary to the Confession in regard to both Moses and Isaiah, and the Church and the Reason as fountains of divine authority; but it would still remain unproven that such teaching was opposed to cardinal doctrines of the Confession. Much less would it be proven that these doctrines conflict irreconcilably with the cardinal doctrine "that the Scriptures of the Old and New Testaments are the only infallible rule of faith and practice."

#### 4.—SPECIFICATIONS 2, 3, AND 4 OF CHARGE I.

Specifications 2, 3, and 4 may be grouped, because the same objections hold against the three. They all make false inferences and erroneous statements. It might be proper in a civil court to challenge the proof of these so-called specifications of fact; but in the ecclesiastical court, according to the decision already quoted in the Craighead case, inferences and statements, not recognized by the accused, are not valid in the specification of offences. And it is certainly in the interest of truth and the saving of valuable time, that



exception should at once be taken to them as irrelevant and invalid specifications under the Charge.

A.—SPECIFICATIONS 2 AND 3.

Specification 2 alleges that :

“ Dr. Briggs affirms that, in the case of some, the Holy Scriptures are not sufficient to give that knowledge of God and His will, which is necessary unto salvation, even though they strive never so hard ; and that such persons, setting aside the supreme authority of the word of God, can obtain that saving knowledge of Him through the Church ” (p. 12).

Specification 3 alleges that :

“ Dr. Briggs affirms that some (such as James Martineau, who denies the doctrines of the Holy Trinity, the Incarnation, the Atonement, the Resurrection of the Body, the personality of the Holy Ghost, who rejects the miracles of the Bible and denies the truth of the Gospel narratives, as well as most of the theology of the Epistles), to whom the Holy Scripture is not sufficient to give that knowledge of God, and of His Will, which is necessary unto salvation, may turn from the Supreme Authority of the Word of God and find that knowledge of Him through the Reason ” (p. 15).

These specifications, as they now stand, are false to truth and to fact. No such facts are recorded in the Inaugural Address. If, however, they were true, and it could be proven, or I should admit, that I had affirmed that the Scriptures “ are not sufficient to give that knowledge of God and His will, which is necessary unto salvation,” even then, in that case, the specifications would be irrelevant to the charge, for the charge alleges that I teach doctrines that irreconcilably conflict with the cardinal doctrine that “ the Holy Scriptures of the Old and New Testaments are the only infallible rule of faith and practice.” But these specifications allege a very different thing which cannot be

brought under that cardinal doctrine, namely, that I affirm that the Scriptures "are not sufficient to give that knowledge necessary unto salvation." The *sufficiency* of Holy Scripture is one doctrine, its *infallibility* another doctrine, both true and cardinal doctrines of Holy Scripture, taught in the Westminster Confession; but two different and distinct doctrines; therefore Specifications 2 and 3 are irrelevant to the charge.

Furthermore the specifications are invalid statements of fact. For nowhere in the Inaugural Address, or in any other writing that I have written, is it affirmed that "in the case of some, the Holy Scriptures are not sufficient to give that knowledge of God and His Will, which is necessary unto salvation"; or "that some, to whom the Holy Scripture is not sufficient to give that knowledge of God and of His Will, which is necessary to salvation, may turn from the Supreme Authority of the Word of God and find that knowledge of Him through the Reason." I have nowhere denied the *sufficiency* of Holy Scripture. I have ever maintained that it is sufficient for the salvation of all men, of the entire human race. The redemption through Jesus Christ is sufficient for all mankind. The Word of God which proclaims that redemption to the world in the Gospel of the grace of God, is sufficient for every one and for all the world. But the *sufficiency* of Holy Scripture is one thing, the *efficacy* of Holy Scripture is another and a different thing. The Westminster Confession teaches that "our full persuasion and assurance of the infallible truth, and divine authority thereof (of Holy Scripture), is from the inward work of the Holy Spirit, bearing witness by and with the word in our hearts" (I. 5). The Larger Catechism represents that: "the Spirit of

God maketh the reading, but especially the preaching of the Word, an effectual means of enlightening, convincing, and humbling sinners, of driving them out of themselves, and drawing them unto Christ; of conforming them to His image and subduing them to His will; of strengthening them against temptations and corruptions; of building them up in grace and establishing their hearts in holiness and comfort through faith unto salvation" (Quest. 155).

It is evidently the teaching of our standards that while the Scriptures are always sufficient, they are not always efficacious to those who use them; but that their efficacy depends upon the presence and power of the Divine Spirit in and with the Scriptures in their use. I affirm both the sufficiency of the Scriptures, and the efficacy of the Scriptures, when the Divine Spirit accompanies them; but this is not to affirm that in fact all those who use the Scriptures as a means of approach to God, do certainly find them efficient in their case, or that the Divine Spirit may not work effectually upon some men through the Church or the Reason.

It is a cardinal doctrine of the Reformed Churches that the divine Spirit is free and is not confined to any one or to all of the means of grace. This doctrine finds expression in the words of our Confession, where it says "the Spirit who worketh when, and where, and how He pleaseth" (X. 3).

I have taken the late Cardinal Newman at his word, when he said he did not find certainty of divine authority through the Scriptures, but did find certainty of divine authority through the Church. I have not affirmed that Newman found divine certainty without the influence of the divine Spirit. I have said that he



found divine certainty by the influence of the divine Spirit working through Church and Sacrament, which are means of grace as truly as Holy Scripture. I have not said that Newman did not find the Scripture *sufficient* for salvation. Newman himself never said that. He was always devout in his use of Holy Scripture. I said that he did not find *certitude* in the Scripture, but that in his case the divine Spirit gave that certitude through the Church as a means of grace.

So also in the case of Martineau. I did not affirm that he found the Scriptures *insufficient* for his salvation, but I said that he did not gain *certitude* either through the Scriptures or the Church; but that he claimed, and I recognized his claim, that he found this *certitude*, this *certainty* of divine authority, in the forms of the Reason, using Reason as Martineau and others have commonly used it, to include the conscience and the religious feeling.

It is in accordance with the common doctrine of the Reformed Churches, that the Spirit of God may work directly upon the souls of men apart from Bible, Church, and Sacraments. It is a simple question of fact whether the divine Spirit has not thus worked in the case of Martineau. My judgment may be challenged for accepting Martineau's own testimony in the case; but my orthodoxy cannot be rightly challenged for recognizing Martineau as a case, in the category of cases, recognized by our Confession, of those directly approached by the Spirit "who worketh when, and where, and how He pleaseth" (X. 3).

The prosecution, with great impropriety, have inserted in the midst of the fact so wrongly imputed to me, a summary of their own composition, setting forth the errors of James Martineau. This is entirely irrele-

vant. I have nowhere affirmed the orthodoxy of Martineau. On the other hand, I selected him as a man entirely outside of the camps of evangelicals and churchmen, to represent a class of men who found divine certainty in the Reason. The prosecution may find it difficult to believe that God would grant certitude to such a man through the Reason; but they do not, and they cannot, adduce from Holy Scripture or Confession any evidence to show that God may not in fact grant even such a man as Martineau access to Him through the Reason, notwithstanding all his heterodoxy and neglect of the means of grace so necessary to other men. If I have in the cases of Newman and Martineau taught erroneous doctrine when I have said that the one found divine certainty in the Church and the other in the Reason, when they could not find that certainty in the Bible; then that passage of the Confession should be pointed out which teaches as a cardinal doctrine, that the Bible is the *only means* used by the divine Spirit to grant *certitude, certainty, assurance of grace and salvation*; and that cardinal doctrine, if it can be found, should be put in a definite charge, sufficient in form and legal effect.

B.—SPECIFICATION 4.

Specification 4 also comes under this head. It alleges that "Dr. Briggs asserts that the temperaments and environments of men determine which of the three ways of access to God they may pursue" (p. 19). This is also a false inference. The specification makes two important changes in my doctrinal statement. The Inaugural says, "Men are influenced by their temperaments and environments." The specification changes the passive construction into the active and thus gives greater emphasis to the verb. It also uses instead of

the verb "influence," the much stronger word "determine." I have never said that "the temperaments and environments of men *determine* which of the three ways of access to God they may pursue." I used the expression "*influenced by*," advisedly; because it does not exclude other influences than these. Indeed it would be quite proper, so far as the language of the Inaugural is concerned, if one should say, "Men are influenced by their temperaments and environments which of the three ways of access to God they may pursue," but it is the Spirit of God who alone determines in which of the three ways they shall find the divine certainty of which they are in quest.

But even if the specification were recognized as valid and true, it is irrelevant to the charge; for it does not appear from anything in the specification itself that the doctrine of the specification is irreconcilably in conflict with the cardinal doctrine that "the Holy Scriptures are the only infallible rule of faith and practice."

#### 5.—SPECIFICATION 7 OF CHARGE I.

Specification 7 alleges that "Dr. Briggs teaches that predictive prophecy has been reversed by history, and that much of it has not and never can be fulfilled" (p. 35).

This specification makes invalid inferences and statements. The specification makes two serious changes in the sentence of the Inaugural. (1). It omits altogether the qualifying clause, "if we insist upon the fulfilment of the details of the predictive prophecy of the Old Testament," and (2) it substitutes for "many of these predictions," the careful statement of the Inaugural Address, "predictive prophecy," a general and comprehensive term; and thus alleges that the address



teaches that "predictive prophecy has been reversed by history." This allegation is entirely without justification from anything taught in the Inaugural Address, or any other of my writings. I have ever taught that the predictive prophecy of the Old Testament has been fulfilled in history, or will yet be fulfilled in history. I have shown in my book, entitled "Messianic Prophecy," that "the details of predictive prophecy" belong to the symbolical and typical form, and were never designed to be fulfilled. I have shown the historical development of the entire series of Messianic predictions of the Old Testament, and pointed them towards the fulfilment in Jesus Christ our Saviour; and have urged that either they have been fulfilled at His first advent, are being fulfilled in His reign over His Church, or will be fulfilled at His second advent.

The specifications have now been tested as to their relevancy, and have all of them been found to be irrelevant. Only two of the eight specifications state what can be recognized as facts, and these two can, by no process of logic, be brought under the Charge. If there be sufficiency in form or in legal effect, in any of the charges and specifications, the respondent fails to see it. He submits his objections to the Presbytery, in the confidence that they will receive due consideration, and that the Presbytery will take proper action with regard to them.

#### IV.—THE PROOFS.

The objections might be brought to an end here, were it not important to save the valuable time of the Presbytery, by calling attention to all such faults in connection with the charges and specifications as should be considered.

The citations from the Inaugural, from Holy Scripture, and from the Westminster Confession and Catechisms have the same fault that we have found in the charges and specifications. There is a general vagueness and indefiniteness.

I object (1) that it is not in good form *to cite any more from the Inaugural Address than is sufficient for the proof of the specification under which the citation is made.* Under the so-called specification of Charge II. a long citation is made from three pages of the Inaugural Address, and a second long citation from two pages of the Appendix of said Address is given to prove one knows not what fact or charge.

(2). *The citations from the Westminster Confession are commonly of entire sections.* The committee do not claim in their charges and specifications, that there is offence against the entire doctrine of these sections of the Confession. They should be required therefore to limit their citations to those portions of these sections that furnish probable proof of the position taken by them. *e. g.*, what possible advantage is gained from the citation of all the books of the Bible under two different specifications, when no charge or specification is made, that the Inaugural Address questions any one of these books as a part of the canon of Holy Scripture?

(3). *Large numbers of texts of Holy Scripture are cited, which are entirely without value for the proof of the specification.* It is unnecessary to pick and choose, to set this forth. The passages mentioned first under the specifications will suffice.

(a). *Many texts are torn from their context.* The first passage cited is from Isa. viii. 20. The passage is in correctly translated in the version used, for the mean

ing "there is no light in them" is not justified. The Revised Version renders "surely there is no morning for them," they have no hope of a dawn of brighter things. The proper rendering is:

"When they say unto you, Seek unto the necromancers and unto wizards;  
Ye chirpers and mutterers, should not a people seek unto their God?  
On behalf of the living will they seek, unto the dead for instruction and for testimony?  
If they say not so, who have no dawn," etc.

This passage has no reference whatever to the Holy Scriptures, or any part of them; but is a rebuke of the people of Judah for seeking necromancers and wizards, rather than the living God.

(b). Many of the texts are given *in King James' Version*, in cases where the Revised Version gives the correct rendering. In the first citation under Specification 2, the passage from 2 Tim. iii. 16, is given from King James' Version; but the Revised Version renders, "Every Scripture inspired of God is also profitable for teaching, for reproof, for correction, for instruction in righteousness." There is a difference of doctrine here which is of some importance in the use of this text for purposes of probation.

(c). *The Confession requires that in all controversies of religion, the Church is finally to appeal to the original Old Testament in Hebrew and the New Testament in Greek* (§ 18). No such appeal is made in the specifications, even in cases where the version quoted is regarded by scholars as incorrect or wrong. The first citation under Specification 3 is from King James' version of John v. 10. If one turn to the original Greek he will see that the translation, "believeth not the *record* that



God gave of His Son," does not correspond with the original, which reads "*witness*," and that witness is not Holy Scripture either in whole or in part. The passage is therefore irrelevant to the specification, to prove that I am in error in teaching that Martineau found divine certainty through the Reason. In that this passage of Holy Scripture teaches a direct and immediate testimony of God within a man without the mediation of Holy Scripture, it rather favors the doctrine that God may, as in the time of the apostles, pursue this direct method with some men in our days.

(d). *A considerable portion of the verses cited have no manner of relevancy to the specifications under which they are given.* If they are suffered to remain, they will tend to needlessly prolong the trial. The three citations from Holy Scripture under specification 4, from 1 Peter i. 23, 25; Gal. i. 8, 9; John xiv. 6, have no manner of relevancy to the question, whether men are or are not "influenced by their temperaments and environments which of the three ways of access to God they may pursue." That men are "begotten again" through "the Word of God," "which liveth and abideth"; that an "anathema" is pronounced upon any one who preaches "any other gospel" than the gospel preached by Paul; that Jesus is "the way, the truth, and the life," and "no one cometh unto the Father but through Him"; are doctrines taught in these passages and are firmly believed by me, but they have nothing whatever to do with the doctrine that I have taught as to the temperaments and the environments of men.

(e). *I question the propriety of quoting any passages of Scripture in proof of doctrines not defined by the Westminster Confession and Catechisms.* The constitution of the Church defines the limits of obligation, and also

protects the minister as regards all matters of belief and practice, outside of those limits. If this Presbytery had the right to decide the interpretation of passages of Scripture for the official determination of doctrines undefined in our constitution, there would be a new way of amending and enlarging the Confession of Faith by judicial decisions in heresy trials, which would contravene and subvert the constitutional method of revision, which has been made an essential part of our constitution. A study of these proof-texts exposes the fault of the specifications in this particular.

The passages from Holy Scripture cited under specification 6 of Charge I. are 60 in number, to prove that Moses wrote the Pentateuch and Isaiah wrote the whole of the book that bears his name. Only 7 of these are used in the Confession of Faith, and five of these seven under other chapters of the Confession than the first, leaving only two of the sixty that were used by the Westminster divines to prove their doctrine of the Bible; and these two not to prove, as the specification would use them, the authorship of the Pentateuch and the book of Isaiah; but Luke xxiv. 27, 28, to prove that the Apocrypha are no part of the canon of Scripture; and John v. 46, in the original edition of the Confession, to prove that the Church is to appeal to the original texts of Scripture; but this last is very properly omitted from the American edition of proof-texts. This fact that the Westminster divines use only 2 of the 60 texts cited by the prosecution for proof of their doctrine of Scripture, and not one of them to prove that Moses was the author of the Pentateuch, or that Isaiah was the author of the book that bears his name, ought to convince you that, even if they are relevant to the specification, they are

not relevant to any doctrine taught by the Confession.

Indeed it would be quite easy to show that not a single one of the large number of Scripture passages adduced, has any force for the proof of the specifications under which they are adduced.

All of these passages of Holy Scripture are accepted and firmly believed by me, when properly rendered according to the original Hebrew, Aramaic, and Greek, which "being immediately inspired by God, and by His singular care and providence kept pure in all ages, and therefore authentical"; "in all controversies of religion, the Church is finally to appeal unto them."

These objections to the sufficiency of the charges and specifications placed in my hand by order of the Presbytery of New York, as to their form and legal effect, are hereby respectfully submitted to the Presbytery for their judgment.

C. A. BRIGGS.

November 4th, 1891.



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